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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Patent Ext., Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: July 30, 2008 Name: Raymond W. Green Signature: Raymond W. Green
Reg. No. 24,587

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kieran Murphy

Serial No.: 09/594,685

Filed: June 16, 2000

For: Apparatus for Strengthening
Vertebral Bodies

Attorney Docket No. 8627/405

Examiner: Michael J. Araj

Group Art No. 3733

Confirmation No. 2321

REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT

Mail Stop Patent Ext.
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

It has recently come to our attention that there may be an error in the patent term adjustment calculated by the U.S. Patent and Trademark Office for the above-referenced patent application. Specifically, the patent term adjustment pursuant to 35 U.S.C. 154(b) of 1392 days indicated on the Determination of Patent Term Adjustment, PTOL-85, may extend the term of this patent by too many or too few days. Please review the calculation of the patent term adjustment and make corrections, if necessary.

Respectfully submitted,

Raymond W. Green
Raymond W. Green
Attorney Reg. No. 24,587
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
PO Box 10395
Chicago, IL 60610
312-321-4200
July 30, 2008

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In re Appln. of: **Kieran Murphy**

Appln. No.: **09/594,685**

Filed: **June 16, 2000**

For: **Apparatus for Stengthening Vertebral Bodies**

Docket No: **8627/405**

Examiner: **Michael J. Aranj**

Art Unit: **3733**

Conf. No.: **2321**

TRANSMITTAL

Mail Stop Patent Ext.
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

- ☒ Request for Review of Patent Term Adjustment; and
- ☒ Return Receipt Postcard.

Fee Calculation:

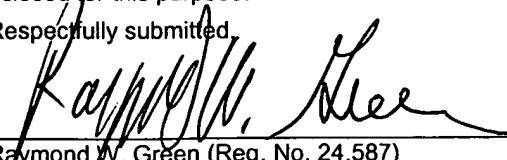
- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 CFR § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	OR	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 105=			x \$210=	
First Presentation of Multiple Dep. Claim					+\$185=			+\$370=	
					Total	\$		Total	\$

Fee Payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____ for _____.
A copy of this Transmittal is enclosed for this purpose.
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,


Raymond W. Green (Reg. No. 24,587)

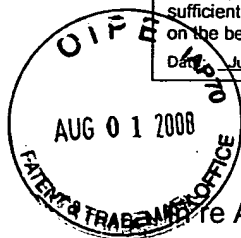
July 30, 2008
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